Honorable Richard A. Jones

UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

THOMAS TURNER, Plaintiff, vs. W.W. GRAINGER, et al., Defendants.	NO. C09-1068RAJ **ORDER**

This matter comes before the court on Plaintiff's motions to compel (Dkt. ## 22, 23). The first motion does not contain a certification, as required by Fed. R. Civ. P. 37(a)(1), that the moving party conferred in good faith with the opposing party before filing the motion and was not able to resolve the dispute without court intervention. The second motion indicates that the parties have not yet completed their Rule 37 conference, and that the Plaintiff will inform the court which issues are still in dispute after that process is complete.

Neither of Plaintiff's motions complies with Rule 37. The first motion contains no mention of a Rule 37 conference, and no description of any efforts made since the deposition to resolve the dispute. The second motion explicitly states that the Rule 37 conference is not complete and it is unclear to what degree court intervention is necessary. The second motion is therefore not ripe. The court will not permit the Plaintiff to file essentially a placeholder motion while still working to comply with Rule 37.

Therefore, because the Plaintiff has not demonstrated Rule 37 compliance with regard to either motion, the court DENIES the motions (Dkt. ## 22, 23).

DATED this 12th day of March, 2010.

The Honorable Richard A. Jones
United States District Judge